

loaded into and/or executed by a computer, or transmitted over some transmission medium, such as over electrical wiring or cabling, through fiber optics, or via electromagnetic radiation, wherein, when the computer program code is loaded into and executed by a computer, the computer becomes an apparatus for practicing the invention. When implemented on a general-purpose microprocessor, the computer program code segments configure the microprocessor to create specific logic circuits.--

IN THE CLAIMS

Cancel Claims 95, 96 and 97.

REMARKS

Additional Specification

Additional text, added to the Specification at page 25 in the Applicants supplemental response to the first Office Action, has been cancelled.

Disposition of the Claims

Claims 89 – 97 are pending in the application. Claims 89 – 97 stand rejected.

Claims 95, 96 and 97, submitted in the Applicant's response to the first Office Action have been cancelled.

Claims 89 – 94 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1, 12 and 16 of U.S. Patent No. 5,262,879.

A terminal disclaimer is filed herewith in compliance with 37 CFR 1.321(c) to overcome the double patenting rejection over Claims 1, 12 and 16 of U.S. Patent No. 5,262,879. In addition, a copy of the assignment of U.S. Patent Application Serial No. 09/168,585, conveying all right, title and interest thereto to Illinois Tool Works Inc. is submitted herewith. This, coupled with the Terminal Disclaimer and Certification filed on November 15, 2000 as well as the Terminal Disclaimer filed October 3, 2001, establishes the common ownership of the instant application and U.S. Patent No. 5,262,879. Thus, the Applicant believes that Claims 89 – 94 are patentable and now stand in condition for allowance. Notification of that fact is respectfully requested.

Applicants believe that the Amendments and Remarks of this Response, in conjunction with the Terminal Disclaimer, fully address all of the objections and concerns of the Examiner in this application, and that pending Claims 89 – 94 now stand in condition for allowance. Notification of that fact is respectfully requested.

If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is invited to telephone the undersigned.

If there are any additional charges with respect to this response or otherwise, please charge them to Deposit Account No. 06-1130 maintained by applicant's attorney.

Respectfully submitted,  
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